

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

[21-cv-03496-AMO](#) Surgical Instrument Service Company, Inc. v. Intuitive Surgical, Inc.

**TRIAL SHEET, EXHIBIT and WITNESS LIST**

<b>JUDGE:</b>	<b>PLAINTIFF ATTORNEY:</b>	<b>DEFENSE ATTORNEY:</b>
Araceli Martínez-Olguín	Richard McCaulley, Joshua Van Hoven, and Anthony E. Dowell	Kenneth Gallo, Paul Brachman, William Michael, and Crystal Lohmann Parker
<b>TRIAL DATE:</b>	<b>REPORTERS:</b>	<b>CLERK:</b>
January 16, 2025	Ruth Levine Ekhaus	Alexis Solorzano Rodriguez

EXHIBIT NO.	TIME OFFERED	ID	DESCRIPTION
	7:58 AM		Court called into session. Plaintiff noted anticipated close of its case-in-chief on 1/21/25. Logistics regarding trial schedule on 1/21 discussed. Defendant to send Plaintiff disclosures regarding its first day of its presentation of evidence by 2:30 PM on 1/17/2025. Deposition designations and objections discussed. Procedure for presentation of sealed deposition designations discussed. Exhibit 1309-R stricken from admitted exhibits record.
	8:09 AM		Court in recess.
	8:31 AM		Jury brought into the courtroom. Witness Mr. Richard Bero called back to the stand. Defendant's counsel, William Michael continued cross-examination of Richard Bero.
1572	8:33 AM	12/31/2019 SIS's 2019 Income Statement	Admitted and published to the jury.
1573	8:34 AM	12/31/2020 SIS's 2020 Income Statement	Admitted and published to the jury.
1700	8:35 AM	Financial Statements and Accountants' Compilation Report SIS as of and for the Years Ended December 31, 2021 and 2020	Admitted and published to the jury.
1699	8:37 AM	Financial Statements and Accountants' Compilation Report SIS as of and for the Years Ended December 31, 2023 and 2022	Admitted and published to the jury.

	8:41 AM		Plaintiff's counsel, Anthony E. Dowell began re-direct examination of Richard Bero.
	8:59 AM		Defendant's counsel, William Michael began re-cross examination of Richard Bero.
	9:02 AM		Plaintiff's counsel, Anthony E. Dowell began re-direct examination of Richard Bero.
	9:03 AM		Richard Bero excused from the witness stand. Court in recess.
	9:07 AM		Court back in session. Jury brought into the courtroom.
	9:08 AM		Witness Mr. Kurt Humphrey called to the stand and sworn in. Plaintiff's counsel, Anthony E. Dowell began direct examination.
352	9:22 AM	01/01/2024 DS28EC20 20kb1Wire EEPROM Datasheet	Admitted and published to the jury.
879	9:24 AM	2014 - Document - Atmel "CryptoRF EEPROM Memory Full Specification"	Admitted and published to the jury.
651	9:28 AM	2019-11 - Presentation - Intuitive "Instrument Security Analysis"	Admitted and published to the jury.
643	9:38 AM	05/07/2018 - Email - Subject: reprogrammed instruments and Si portfolio	Admitted and published to the jury.
638	9:43 AM	10/21/2019 - Email - Subject: RE: Gamma Compatible RFID	Admitted and published to the jury.
	9:48 AM		Defendant's counsel, Crystal Lohmann Parker began cross-examination of Kurt Humphrey.
573-R	10:12 AM	09/29/2011 - Presentation - Orion "IS4000 8mm Base Instruments CDR (PN 819005-03 Rev A)"	Admitted and published to the jury.
	10:13 AM		Jury excused for break. Court in recess.
	10:24 AM		Court back in session.

**TRIAL SHEET, EXHIBIT and WITNESS LIST CONTINUED**

<b>EXHIBIT NO.</b>	<b>TIME OFFERED</b>	<b>ID</b>	<b>DESCRIPTION</b>
	10:29 AM		Jury brought into the courtroom. Defendant's counsel, Crystal Lohmann Parker continued cross-examination of Kurt Humphrey.
	10:41 AM		Sidebar.
	10:43 AM		Sidebar concluded. Defendant's counsel, Crystal Lohmann Parker continued cross-examination of Kurt Humphrey.
	10:46 AM		Kurt Humphrey excused from the witness stand.
	10:47 AM		Plaintiff's counsel presented video deposition of Nikola Goodson.
553-R	11:00 AM	2019-07-29 - Email - Subject: "RE: Collection & Refurbishment Pilot"	Admitted and published to jury during video deposition of Katie Scoville.
	11:01 AM		Plaintiff's counsel presented video deposition of Katie Scoville.
	11:20 AM		Jury excused for break.
	11:25 AM		Court in recess.
	11:45 AM		Court back in session. Jury brought back in courtroom.
	11:46 AM		Plaintiff's counsel presented video deposition of Sharathchandra "Shark" Somayaji.
933-R	11:47 AM		Admitted and published to jury during video deposition of Sharathchandra "Shark" Somayaji.
934	11:47 AM		Admitted and published to jury during video deposition of Sharathchandra "Shark" Somayaji.
	11:58 AM		Jury admonished by the Court before dismissal for the week.
	12:00 PM		Jury excused for the day and rest of the week.
	12:01 PM		Court in recess.

	12:07 PM		Court back in session. Because Plaintiff concluded the trial day early, they waived the remaining trial time scheduled for 1/16/25. Defendant previewed that it intended to present a Rule 50 next week after Plaintiff's case-in-chief. Defendant granted leave to file brief no longer than 10 pages to be filed on day of motion, Plaintiff not to file a response unless requested by the Court. Defendant to email courtroom deputy proposed order allowing surgical instruments back into the courtroom on 1/21/25.
	12:15 PM		Court adjourned for the day.